Form (5-A)

Republic of the Union of Myanmar
Sr.No. 084-C
Date 8-3-2018
Myanmar Investment Commission

MIC

# THE REPUBLIC OF THE UNION OF MYANMAR

## Myanmar Investment Commission

## Endorsement

Endorsement No. 087/2018 Date 8th March 2018

This endorsement is issued by the Myanmar Investment Commission according to the section 25, sub-section (d) of the Myanmar Investment Law:-

(1) Name of Investor U SEIN WAN

(2) Citizenship MYANMAR

(3) Residence Address NO.(L/66-68), KHAYAY PIN STREET, FMI CITY, FINGER LAKE, HLAING THARYAR TOWNSHIP, YANGON

(4) Name and Address of Principal Organization -

(5) Place of Incorporation -

(6) Type of Business TO PRODUCE AND SELL 10 MW ELECTRICITY BY DIESEL GENERATORS

(7) Place(s) of Investment Project MON STATE, YE TOWNSHIP (NORTH), THAPYAY VILLAGE 5.56 ACRES, THAPYAY VILLAGE COAST 47.28 ACRES, LAMINE VILLAGE 15.4 ACRES TOTAL 68.25 ACRES

(8) Amount of Foreign Capital US$ 9.28 MILLION

(9) Period for Foreign Capital to be Brought in WITHIN EIGHTEEN MONTHS FROM THE DATE OF ISSUANCE OF ENDORSEMENT

(10) Total Amount of Capital (Kyat) KYAT 26,457.30 MILLION (INCLUDING US$ 9.28 MILLION)

(11) Construction Period 18 MONTHS

(12) Validity of Investment Endorsement 50 YEARS

(13) Form of Investment JOINT VENTURE

(14) Name of Company Incorporated in Myanmar SOUTHERN MYANMAR DEVELOPMENT COMPANY LIMITED

8.3.18

**Chairman**
**Myanmar Investment Commission**

ပြည်ထောင်စုသမ္မတမြန်မာနိုင်ငံတော်
မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်
အတည်ပြုမိန့်

အတည်ပြုမိန့်အမှတ် ၀၈၇/ ၂၀၁၈ ၂၀၁၈ ခုနှစ်၊ မတ်လ ၈ ရက်

မြန်မာနိုင်ငံ ရင်းနှီးမြှုပ်နှံမှု ကော်မရှင်သည် မြန်မာနိုင်ငံ ရင်းနှီးမြှုပ်နှံမှု ဥပဒေပုဒ်မ-၂၅၊ ပုဒ်မခွဲ (ဃ) အရ ဤအတည်ပြုမိန့်ကို ထုတ်ပေးလိုက်သည်-

(၁) ရင်းနှီးမြှုပ်နှံသူအမည် ဦးစိန်ဝမ်း
(၂) နိုင်ငံသား မြန်မာ
(၃) နေရပ်လိပ်စာ အမှတ်-(L/၆၆-၆၈)၊ ခရေပင်လမ်း၊ FMI အိမ်ရာ၊ Finger Lake၊ လှိုင်သာယာမြို့နယ်၊ ရန်ကုန်မြို့
(၄) ပင်မအဖွဲ့အစည်းအမည်နှင့်လိပ်စာ -
(၅) ဖွဲ့စည်းရာအရပ် -
(၆) ရင်းနှီးမြှုပ်နှံသည့်လုပ်ငန်းအမျိုးအစား ဒီဇယ်ဆီဖြင့်မောင်းနှင်သည့်မီးစက်များဖြင့် ၁၀ မဂ္ဂါဝပ် လျှပ်စစ်ဓာတ်အားထုတ်လုပ်ဖြန့်ဖြူးရောင်းချခြင်းလုပ်ငန်း
(၇) ရင်းနှီးမြှုပ်နှံသည့်အရပ်ဒေသ(များ) မွန်ပြည်နယ်၊ ရေးမြို့နယ်(မြောက်ပိုင်း)၊ သပြေကျေးရွာအနီးရှိမြေ ၅.၅၆ ဧက၊ သပြေကျေးရွာအနီးပင်လယ်ကမ်းစပ်ရှိမြေ ၄၇.၂၈ ဧက၊ လမိုင်းကျေးရွာအနီးမြေ ၁၅.၄ ဧကစုစုပေါင်းမြေ ၆၈.၂၅ ဧက
(၈) နိုင်ငံခြားမတည်ငွေရင်းပမာဏ အမေရိကန်ဒေါ်လာ ၉.၂၈ သန်း
(၉) နိုင်ငံခြားမတည်ငွေရင်းယူဆောင်လာရမည့်ကာလ အတည်ပြုမိန့် ရရှိပြီး ၁၈ လ အတွင်း
(၁၀) စုစုပေါင်းမတည်ငွေရင်းပမာဏ(ကျပ်) ကျပ် ၂၆,၄၅၇.၃၀ သန်း (အမေရိကန်ဒေါ်လာ ၉.၂၈ သန်းအပါအဝင်)
(၁၁) တည်ဆောက်မှု/ပြင်ဆင်မှုကာလ ၁၈ လ
(၁၂) အတည်ပြုမိန့်သက်တမ်း ၅၀ နှစ်
(၁၃) ရင်းနှီးမြှုပ်နှံမှုပုံစံ ဖက်စပ်နိုင်ငံခြား ရင်းနှီးမြှုပ်နှံမှု
(၁၄) မြန်မာနိုင်ငံတွင်ဖွဲ့စည်းမည့်ကုမ္ပဏီအမည် SOUTHERN MYANMAR DEVELOPMENT COMPANY LIMITED

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ဥက္ကဋ္ဌ
မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်

THE REPUBLIC OF THE UNION OF MYANMAR
**MYANMAR INVESTMENT COMMISSION**
No.(1), Thitsar Road, Yankin Township, Yangon

Tel: 95-1- 658130
Fax: 95-1-658142

Our ref : MIC-5(E)/E-002/2018(084.c)
Date : 8th March 2018

**Subject:** **Decision of the Myanmar Investment Commission on the Endorsement to produce and sell 10 MW electricity by diesel generators under the name of Southern Myanmar Development Co., Ltd**

Reference: Southern Myanmar Development Co., Ltd., Letter dated 8-2-2018

1. The Myanmar Investment Commission, at its meeting (3/2018) held on 27th February 2018, approved the Endorsement for investment to produce and sell 10MW electricity by diesel generators under the name of Southern Myanmar Development Company Limited submitted by U Sein Wan (34%) from the Republic of the Union of Myanmar and Mr. Tang Weng Fei (33%) from the Republic of Singapore and Mr. Supachai Weeraborwornpong (33%) from Kingdom of Thailand as a Joint Venture investment in accordance with the Myanmar Investment Law and Rules.

2. The terms and conditions of the Endorsement are stated in the following paragraphs:

(a) The term of an Endorsed project shall be initial 50 (fifty) years commencing from the date of the issuance of Endorsement by Myanmar Investment Commission.

(b) The term of the Lease Agreement for the land shall be initial 50 (fifty) years commencing from the date of signing of the Lease Agreement between U Sein Wan (Lessor) and Southern Myanmar Development Co., Ltd. (Lessee).

(c) The annual rent shall be kyat 10,920,000 (kyat ten million nine hundred and twenty thousand only) measuring of 68.25 acres (276,198.195 square meters).

(d) Southern Myanmar Development Company Limited, which has obtained this Endorsement to receive benefits relating to the right to use land under Chapter XII and exemptions and reliefs under section 75, 77 and 78 of the Chapter XVIII of Myanmar Investment Law, may submit the application form.

(e) Southern Myanmar Development Company Limited shall use its best efforts to achieve a timely realization of the work stated in the endorsement application.

(f) Southern Myanmar Development Company Limited shall obey and respect the responsibilities of investors under section 65 of Myanmar Investment Law and Chapter XX of Myanmar Investment Rules.

(g) Southern Myanmar Development Company Limited shall carry out Initial Environmental Examination (IEE) and Environmental Management Plan (EMP) according to the type of investment activities in accordance with the relevant laws, rules, regulations and procedures.

(h) Southern Myanmar Development Company Limited shall submit to the Commission any sublease, mortgage, transfer of shares or transfer of the business to any person during the investment period in accordance with section 72 of Myanmar Investment Law and rule 191 of Myanmar Investment Rules.

(i) Southern Myanmar Development Company Limited which has benefited from the Endorsement or the exemptions and reliefs shall submit an annual report in the prescribed form to the Commission within three (3) months of the end of the financial year in accordance with rule 196 of Myanmar Investment Rules and shall publish a summary of the report on its website or the Commission's website.

(j) Southern Myanmar Development Company Limited must, during the operation period under the Endorsement of the Commission, submit

its operating report quarterly in the prescribed form in accordance with rule 197 of Myanmar Investment Rules.

3. Southern Myanmar Development Company Limited shall submit five (5) copies of all approvals, licences, permits and similar authorizations relevant to the initial implementation of the investment and the Land Lease Agreement to the Commission.

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(Kyaw Win)
Chairman

**Southern Myanmar Development Company Limited**

cc: 1. Ministry of Home Affairs
2. Ministry of Office of the Union Government
3. Ministry of Natural Resources and Environmental Conservation
4. Ministry of Electricity and Energy
5. Ministry of Labour, Immigration and Population
6. Ministry of Commerce
7. Ministry of Planning and Finance
8. Central Bank of Myanmar
9. Mon State Investment Committee
10. Office of the Mon State Government
11. Director General, Fire Services Department
12. Director General, Department of Environmental Conservation
13. Managing Director, Myanma Oil and Gas Enterprise
14. Director General, Directorate of Labour
15. Director General, Immigration and National Registration Department
16. Director General, Department of Trade
17. Director General, National Archive Department
18. Director General, Internal Revenue Department

19. Director General, Customs Department
20. Managing Director, Myanma Foreign Trade Bank
21. Managing Director, Myanma Investment and Commercial Bank
22. Mon State Office, Directorate of Investment and Company Administration